



RECEIPT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andrews, et al.
Appl. No. : 10/029,109
Filed : October 19, 2001
For : COMPOSITION FOR IMPROVING
SLEEP QUALITY AND
EFFICIENCY, AND METHODS OF
PREPARING AND USING THE
COMPOSITION
Examiner : Lilling, H.J.

Group Art Unit 1651

I hereby certify that this correspondence
and all marked attachments are being
deposited with the United States Postal
Service as first class mail in an envelope
addressed to: Mail Stop Issue Fee,
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on

August 19, 2003

(Date)

Mallory K. de Merlie
Mallory K. de Merlie, Reg. No. 51,609

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Office of Initial Patent Examination
Customer Service Center
Alexandria, VA 22313-1450

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OCT 03 2003
TECH CENTER 1600/2900

Dear Sir:

Applicants hereby request that the Official Filing Receipt, a copy of which is enclosed, be corrected to reflect the priority claimed by Applicants from U.S. Patent Application Ser. No. 09/358,375, filed July 21, 1999, and U.S. Patent Application Ser. No. 09/620,801, filed July 21, 2000, now U.S. Patent No. 6,383,526, and U. S. Patent Application Ser. No. 60/264,872, filed January 29, 2001. Presently, the Filing Receipt only claims the benefit of U.S. Patent Application Ser. No. 60/264,872.

Applicants respectfully request that, the priority claim information related above be reflected on the face of the issued patent.

Appl. No. : 10/029,109
Filed : October 19, 2001

On this date, herewith, Applicants have also submitted a Fee Transmittal Form PTOL-85 enclosing a check for the Issue Fee in the above-referenced application. A copy of which is enclosed.

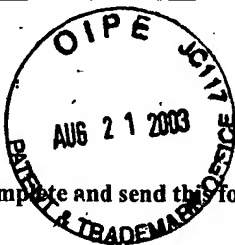
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 8/19/03

By: Mallory K. de Merlier
Mallory K. de Merlier
Registration No. 51,609
Attorney of Record
Customer No. 20,995
(619) 235-8550

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PART B - FEE(S) TRANSMITTAL

COPY

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
Commissioner for Patents
Alexandria, Virginia 22313-1450
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

20995 7590 05/20/2003

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Mallory K. deMerlier (Depositor's name)
Mallory K. deMerlier (Signature)
8/19/03 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,109	10/19/2001	Michael J. Andrews	ANCILE.037A	2892

TITLE OF INVENTION: COMPOSITION FOR IMPROVING SLEEP QUALITY AND EFFICIENCY, AND METHODS OF PREPARING AND USING THE COMPOSITION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$650	\$300	\$950	08/20/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
LILLING, HERBERT J	1651	424-733000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 **KNOBBE MARTENS**
2 **OLSON & BEAR LLP**
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Ancile Pharmaceuticals, Inc.

San Diego, California

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
☒ Publication Fee
☒ Advance Order - # of Copies **Ten (10)**

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number **11-1410** (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Reg. No. 51,609

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)



PATENT

Case Docket No. ANCILE.037A

Date: August 19, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Andrews, et al.
Appl. No. : 10/029,109
Filed : October 19, 2001
For : COMPOSITION FOR IMPROVING
SLEEP QUALITY AND EFFICIENCY,
AND METHODS OF PREPARING
AND USING THE COMPOSITION
Group Art Unit : 1651
Class/Sub-Class : 424-733000
Examiner : Lilling, H.J.

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 19, 2003

(Date)

Mallary K. de Merlier
Mallary K. de Merlier, Reg. No. 51,609

TRANSMITTAL LETTER

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing is the Issue Fee for the above-identified application:

- (X) Form PTOL-85.
- (X) A check in the amount of \$980 to cover the issue fee, publication fee, and advanced order of copies is enclosed.
- (X) A copy of a Request for Corrected Filing Receipt in 2 pages is also enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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Mallary K. de Merlier
Mallary K. de Merlier
Registration No. 51,609
Attorney of Record
Customer No. 20,995
(619) 235-8550



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/029,109	10/19/2001	Michael J. Andrews	ANCILE.037A

CONFIRMATION NO. 2892

20995
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614



OC000000010905653

Date Mailed: 09/22/2003

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ **Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification. 09/358,375 filing date 07/21/99 and 09/620,801 filing date 07/21/00**
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order:
Country, Application number, Filing date.
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.
- ☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or

— foreign priority.

☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.

☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.

Haimanot Tegbaru

Customer Service Center
Office of Initial Patent Examination
(703) 308-1202